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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION**
(37 CFR 1.63)

Declaration Submitted With Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	00324/US1
First Named Inventor	McGLYNN, Paul
COMPLETE IF KNOWN	
Application Number	
Filing Date	
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LEVALBUTEROL SALT

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number: 024330 OR Correspondence address below

Name

Martin A. Hay & Co. Attn: Martin Alexander Hay

Address

13 Queen Victoria Street

City

Macclesfield

State

Cheshire

ZIP

SK11 6LP

Country

UNITED KINGDOM

Telephone

+44 1625 500057

Fax

+44 1625 500058

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any])
PaulFamily Name
or Surname McGLYNNInventor's
Signature**Date**

03 December 2003

Residence: City
MarlboroughState
MassachusettsCountry
United StatesCitizenship
U.K.Mailing Address
212 Glen StreetCity
MarlboroughState
MassachusettsZIP
01752Country
United States**NAME OF SECOND INVENTOR:**

A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any])
RogerFamily Name
or Surname BAKALEInventor's
Signature**Date**

Dec 3 2003

Residence: City
ShrewsburyState
MassachusettsCountry
United StatesCitizenship
U.S.Mailing Address
4 Cornstock Drive, ShrewsburyCity
MarlboroughState
MassachusettsZIP
01545Country
United States

Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental SheetPage 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Craig		Family Name or Surname STURGE	
Inventor's Signature 	Date <u>3 Dec. 03</u>		
Residence: City Falmouth	State Nova Scotia	Country CANADA	Citizenship Canadian
Mailing Address 630 Falmouth Back Road			
Mailing Address			
City Falmouth	State Nova Scotia	Zip B0P 1L0	Country Canada
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature	Date		
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature	Date		
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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**AUTHORIZATION OF AGENT/
POWER OF ATTORNEY**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: McGLYNN, Paul, et al.

**New United States Patent Application claiming priority from Provisional Patent
Application Serial No. 60/432,194 Filed: December 10, 2002**

For: LEVALBUTEROL SALT

Attorney Docket No. 00324/USI

**POWER OF ATTORNEY OR AUTHORIZATION OF AGENT
BY ASSIGNEE UNDER 37 C.F.R. 3.71
And
STATEMENT UNDER 37 CFR 3.73(b)**

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
United States**

Sir:

**Sepracor Inc., the assignee of the entire interest in the above-identified
Application, hereby grants a power of attorney to:**

<u>Agent/Attorney</u>	<u>Reg. No.</u>
Martin A. Hay (Agent)	39,459
Robert Thomas Barker (Attorney)	41,597

**to prosecute this application and to transact all business in the United States Patent
and Trademark Office connected therewith.**

Assignment of the entire interest in the above-identified subject application:

[] was recorded on _____ at reel/frame / _____.

[X] has been executed and a copy thereof is submitted herewith for recording.

Please direct all correspondence for this application to customer no. 024330.

ASSIGNEE: SEPRACOR Inc.,

Signature:

Douglas E. Reedich

Typed Name: DOUGLAS E. REEDICH

Position/Title: Senior Vice President, Legal Affairs and Chief Patent Counsel

Address: 84 Waterford Drive
Marlborough
Massachusetts 01752
UNITED STATES

Date:

December 3, 2023

Martin A Hay & Co
Docket No. 00324/US1

ASSIGNMENT

WHEREAS I, CRAIG STURGE, of the City of Falmouth, Nova Scotia, Canada have made an invention, which is the subject of an application for Letters Patent of the United States ("Application") entitled, LEVALBUTEROL SALT, claiming priority from U.S. Provisional Patent Application No. 60/432,195 filed December 10, 2002 and executed by me on the 3rd day of December, 2003; and

WHEREAS SEPRACOR INC, a Delaware corporation having its principal place of business at 84 Waterford Drive, Marlborough, MA 01752, wishes to acquire my entire right, title, and interest in the Application and in all inventions disclosed in the Application;

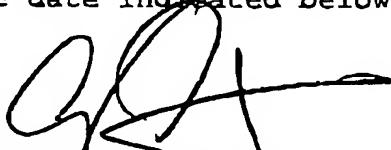
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over unto Sepracor Inc, its successors and assigns (collectively "Sepracor") my entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in the United States or any foreign country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, re-examinations, reissues, international applications under the Patent Cooperation Treaty ("PCT"), United States provisional patent applications, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates, copyrights, trademarks, and data package exclusivity rights; and any and all Letters Patent of the United States and of all foreign countries and all related patent term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Sepracor for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by me had this Assignment and sale to Sepracor not been made.

For myself and for my heirs, successors and legal representatives, I covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

For myself and for my heirs, successors and legal representatives, I further covenant and agree with Sepracor

that upon request I and they will, without further consideration than that now paid, but at the expense of Sepracor: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Sepracor any facts known to me or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Sepracor, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Sepracor or its nominees, in the United States and in all other countries where Sepracor may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Sepracor and to vest and confirm in Sepracor or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF I have executed this assignment on the date indicated below.



CRAIG STURGE, Inventor

Date: 3 Dec. 03

First Witness:

Address: 271 Dyke Road
Falmouth, Nova Scotia
CANADA

M. Mackay 03 Dec 2003
Second Witness:

Address: 101 Hartville Road
St. Croix, Nova Scotia
CANADA

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Martin A Hay & Co
Docket No. 00324/US1

ASSIGNMENT

WHEREAS I, ROGER BAKALE, of the City of Shrewsbury, County of Marlborough, State of Massachusetts have made an invention, which is the subject of an application for Letters Patent of the United States ("Application") entitled, LEVALBUTEROL SALT, claiming priority from U.S. Provisional Patent Application No. 60/432,195 filed December 10, 2002 and executed by me on the 3rd day of December, 2003; and

WHEREAS SEPRACOR INC, a Delaware corporation having its principal place of business at 84 Waterford Drive, Marlborough, MA 01752, wishes to acquire my entire right, title, and interest in the Application and in all inventions disclosed in the Application;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over unto Sepracor Inc, its successors and assigns (collectively "Sepracor") my entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in the United States or any foreign country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, re-examinations, reissues, international applications under the Patent Cooperation Treaty ("PCT"), United States provisional patent applications, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates, copyrights, trademarks, and data package exclusivity rights; and any and all Letters Patent of the United States and of all foreign countries and all related patent term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Sepracor for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by me had this Assignment and sale to Sepracor not been made.

For myself and for my heirs, successors and legal representatives, I covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

For myself and for my heirs, successors and legal representatives, I further covenant and agree with Sepracor that upon request I and they will, without further consideration than that now paid, but at the expense of Sepracor: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Sepracor any facts known to me or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Sepracor, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Sepracor or its nominees, in the United States and in all other countries where Sepracor may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Sepracor and to vest and confirm in Sepracor or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF I have executed this assignment on the date indicated below.

Date: December 3, 2003

Roger Bakale
ROGER BAKALE, Inventor

UNITED STATES OF AMERICA

Before me, a Notary Public, personally appeared Roger Bakale and acknowledged the execution of the foregoing instrument this 3rd day of December, 2003.

Jeanne D. Schaefer
Notary Public

My Commission Expires: 11-26-04

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Martin A Hay & Co
Docket No. 00324/US1

ASSIGNMENT

WHEREAS I, PAUL MCGLYNN, of the City of Marlborough, State of Massachusetts have made an invention, which is the subject of an application for Letters Patent of the United States ("Application") entitled, LEVALBUTEROL SALT, claiming priority from U.S. Provisional Patent Application No. 60/432,195 filed December 10, 2002 and executed by me on the 3rd day of December, 2003; and

WHEREAS SEPRACOR INC, a Delaware corporation having its principal place of business at 84 Waterford Drive, Marlborough, MA 01752, wishes to acquire my entire right, title, and interest in the Application and in all inventions disclosed in the Application;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over unto Sepracor Inc, its successors and assigns (collectively "Sepracor") my entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in the United States or any foreign country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, re-examinations, reissues, international applications under the Patent Cooperation Treaty ("PCT"), United States provisional patent applications, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates, copyrights, trademarks, and data package exclusivity rights; and any and all Letters Patent of the United States and of all foreign countries and all related patent term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Sepracor for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by me had this Assignment and sale to Sepracor not been made.

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For myself and for my heirs, successors and legal representatives, I further covenant and agree with Sepracor that upon request I and they will, without further consideration than that now paid, but at the expense of Sepracor: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Sepracor any facts known to me or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Sepracor, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Sepracor or its nominees, in the United States and in all other countries where Sepracor may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Sepracor and to vest and confirm in Sepracor or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF I have executed this assignment on the date indicated below.

Date: 12 De 03 December 2003


PAUL McGLYNN, Inventor

UNITED STATES OF AMERICA

Before me, a Notary Public, personally appeared Paul McGlynn and acknowledged the execution of the foregoing instrument this 3rd day of December, 2003.


Jeanne J. Schaefer
Notary Public

My Commission Expires: 11-26-04

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